

**FARMINGTON CITY
PLANNING COMMISSION
October 24, 2019**

STUDY SESSION

***Present:** Commission Chair Connie Deianni, Roger Child, Rulon Homer, Shawn Beus, Greg Wall, Amy Shumway and Mike Plaizier, Community Development Director Dave Petersen, City Planner Meagan Booth and Recording Secretary Carly Rowe. Russ Workman was excused.*

The Planning Commission and staff discussed items set forth in the agenda.

REGULAR SESSION

***Present:** Commission Chair Connie Deianni, Roger Child, Rulon Homer, Shawn Beus, Greg Wall, Amy Shumway and Mike Plaizier, Community Development Director Dave Petersen, City Planner Meagan Booth and Recording Secretary Carly Rowe. Russ Workman was excused.*

Item #1 Minutes

Amy Shumway made a motion to approve minutes from the August 22, 2019 Planning Commission meeting. Rulon Homer seconded the motion, which was unanimously approved. Greg Wall abstained from voting due to an absence from the meeting on August 22, 2019.

Rulon Homer made a motion to approve minutes from the October 3, 2019 Planning Commission meeting. Shawn Beus seconded the motion, which was unanimously approved.

Item #2 City Council Report

Dave Petersen presented a summary on the City Council meeting on October 8, 2019. The Plat Amendment for Taylor Ridge Subdivision was approved. The modification to 175 South Street Cross-Section for Mountainside Subdivision sidewalk was approved per recommendation from the Planning Commission. The City Council approved the zone change and preliminary PUD Master Plan for Preserve at Farmington Creek rezone was on hold to allow time to obtain information from our County Engineer and the State Geologist, regarding the dam and creek. For now, the information received was enough to enable approval of the zone change.

GENERAL PLAN AMENDMENT

Item #3 Farmington City (Public Hearing) – The Farmington City Planning Commission will hold public hearing to consider a Moderate Income Housing Plan as an element to the City's General Plan. (MP-2-19)

General Time-Line for Review and Adoption of Moderate Income Housing Plan:

8. Provide the City access to the light that will be attached to the cell phone tower pole for any maintenance that may be needed.

Greg Wall seconded the motion, which was unanimously approved.

Findings for approval:

1. The pole would replace an existing 42 foot light pole at the same location.
2. The nearest residential neighborhood is over 200 feet away from the proposed location.
3. The proposed use of the particular location is necessary to provide a service, which will contribute to the general well-being of the community.
4. The proposed use complies with the regulations and conditions in the Farmington City ordinance for such use.
5. The proposed use conforms to the goals, policies, and governing principles of the Comprehensive General Plan for Farmington City.
6. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing and proposed development.
7. Adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation are available.
8. Such use shall not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of the persons residing or working in the vicinity, or injurious to the property or improvements in the vicinity.

Item #5 Jerry Preston (Public Hearing) – Applicant is requesting conditional use approval for an ADU (Accessory Dwelling Unit) at 112 North 200 East in the OTR (Original Town site Residential) zone. (C-18-19)

The applicant, Jerry Preston, in behalf of property owners, Michael and Cheney Packer is requesting conditional use approval for Accessory Dwelling Unit (ADU) at 112 North 200 East in the OTR (Original Town site Residential) zone. The applicant is proposing to construct a new home and convert the existing home, into an ADU (Accessory Dwelling Unit) to be used by family. This request requires a conditional use permit approval from the Planning Commission.

Connie Deianni opened the public hearing at 8:23 PM.

Cheney Packer (852 Country Lane) owns the home at 112 N 200 E. Ms. Packer plans to keep the historic feel in this new Accessory Dwelling Unit. They are requesting the ADU so that her mother is able to age nearby.

John Bradshaw, (259 E 100 N) is a longtime resident with faith in Jerry Preston of Elite Craft Homes and recommends that the Planning Commission approve this item.

Connie Deianni closed the public hearing at 8:30 PM.

Motion:

Rulon Homer made a motion that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The building shall meet all requirements of the building code prior to occupancy. The applicant must submit his plans to the city for a building permit.
2. No rent or other compensation may be charged for occupants of the accessory dwelling (existing guest house)
3. The applicant must meet the standards for accessory dwellings set forth in Section 11-2-020 of the Zoning Ordinance.
4. One family must only occupy the single-family dwelling together with the ADU.

Greg Wall seconded the motion, which was unanimously approved.

Findings for approval:

1. The accessory building is subordinate to the single-family dwelling.
2. The structure is existing and the remodel of the building must comply with all applicable Farmington building Codes and Ordinances. The applicant must submit his plans to the city for a building permit.
3. The proposed use complies, or will comply, with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
4. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
5. The proposed use is not detrimental to the health, safety, and general welfare of persons residing in the vicinity.
6. The motion for approval is consistent with State law for conditional uses.

ZONING TEXT CHANGES

Item #6 Farmington City (Public Hearing) – Applicant is requesting a recommendation to amend Chapter 3 of the Zoning Ordinance regarding special exceptions/moderate income housing. (ZT-5-19)

In the wake of SB 34, recently passed by the Utah State Legislature, the enclosed text modification will enable the City to consider affordable housing options at its sole discretion by agreement in the event additional dwelling units are necessary, as deemed appropriate by the City, to further moderate-income housing needs of the community.

Connie Deianni opened the public hearing at 8:40 PM.

No comments were received.

Connie Deianni closed the public hearing at 8:40 PM.

Motion:

Amy Shumway made a motion that the Planning Commission recommend that the City Council amend Section 11-3-045 A as follows:

11-3-045: SPECIAL EXCEPTIONS:

A. Purpose: A special exception is:

- ~~1. An activity or use incidental to or in addition to a principal use permitted in a zoning district; or~~
- ~~2. An adjustment to a fixed dimension standard permitted as an exception to the requirements of this title; or~~
- ~~3. A transfer of development right (TDR), or rights, established because of blight which results in an additional lot, or lots, or a dwelling unit, or units; or~~
- ~~4. An adaptive reuse of a building or structure eligible, or that may be eligible, for the National Register of Historic Places so long as the adaptive reuse does not compromise such eligibility; or~~
5. Additional dwelling units or lots to provide housing for moderate-income households, subject to written agreement by the city at the sole discretion of the City Council.

A special exception has less potential impact than a conditional use but still requires careful review of such factors as location, design, configuration and/or impacts to determine the desirability of authorizing its establishment on any given site. This section sets forth procedures for considering and approving special exceptions to the provisions of this title.

Roger Child seconded the motion, which was unanimously approved.

Findings for approval:

1. The proposed amendment is reasonably necessary because there may be times when due to market forces a developer/builder will be unable to provide moderate-income housing without additional dwelling units allowed by the City.
2. The action is in the public interest because it will enable and help the City provide housing for moderate-income households.
3. The proposed amendment is consistent with the City's General Plan and in harmony with the objectives and purpose of the Zoning Ordinance. Chapter 11, Community Goal 2 of the General Plan states: "Maintain Community land use plans, policies and regulations that encourage and support a variety of residential development opportunities and land uses".

Item #7 Farmington City (Public Hearing) – Applicant is requesting a recommendation to amend Chapter 8 of the Subdivision Ordinance regarding the process related to modifying street cross-sections. (ZT-6-19)

Recently, the City Council and Planning Commission as per the existing ordinance approved a proposed street modification request to 175 South Street as part of the Mountain View Subdivision project. Neither body was concerned about park strip widths and other details per se (which are now proposed as staff administrative decisions (see recommended changes below)), but strongly rejected the request to eliminate sidewalk altogether, which is a policy decision [note: the proposed draft changes below recommend that such determinations should remain with the Planning Commission and City Council].

Connie Deianni opened the public hearing at 8:57 PM.

No comments were received.

Connie Deianni closed the public hearing at 8:57 PM.

Motion:

Shawn Beus made a motion that the Planning Commission recommend that the City Council amend Section 12-8-100 as follows:

12-8-100: ADMINISTRATIVE REVIEW FOR PUBLIC STREET STANDARDS NOT LISTED:

- A. Consideration: The city ~~engineer council, after receiving a recommendation from the planning commission,~~ may review and approve street standards not listed in the Farmington City development standards but shall consider only modifications and alternatives to standard street intersections, ~~sidewalk locations,~~ typical cul-de-sac and standard roadway sections, ~~but not the elimination of sidewalks altogether. The city council, after receiving a recommendation from the planning commission, may waive the requirement to install sidewalks.~~ The city engineer and/or the planning commission shall not consider changes to remaining standards, including, but not limited to, submittals, quality control, site preparation, grading, excavating, backfilling and compaction, base course, asphalt/concrete, curbs, gutters, drive aprons and walks, slurry sealing, restoration of existing improvements, storm drainage systems, boundary markers and survey monuments, geotextiles and concrete reinforcement. Notwithstanding the foregoing, amendments to the Farmington City development standards may be approved from time to time by resolution of the city council.
- B. Application: An application requesting a street standard not listed shall be filed with the city planner. The application shall include a detailed description of the proposed standard and other such information as may be required.
- C. Investigation: The city planner, city engineer, city public works director and any other city official, as required, shall conduct such investigations as are deemed necessary to compare the proposed standard with sound customary engineering and planning practices. Thereafter, a recommendation shall be provided to the ~~city engineer or the~~ planning commission.
- D. Final Determination: The final determination by the ~~city engineer or the~~ city council and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the community development department. (Ord. 2009-11, 2-17-2009)

Rulon Homer seconded the motion, which was unanimously approved.

Findings for approval:

1. The proposed amendment is reasonably necessary because most administrative modifications to the City's standard street cross sections, except decisions as to whether or not to eliminate sidewalks (which is a policy determination), are considered during the review and approval of improvement drawings by the City Engineer, or out in the field; moreover, the Planning

Commission and/or the City Council sometimes do not have the background necessary to make determinations related to such technical design issues as these.

2. The action is in the public interest because it will improve the review process for the public and property owners.

OTHER BUSINESS

Item #8 Miscellaneous, correspondence, etc.

a. Discussion Item: Visionary Homes Elevations Haight Creek Subdivision

Dallas Nicoll from Visionary Homes attended the study session to receive feedback from the Planning Commission for the Haight Creek Subdivision that is being developed at approximately 2000 West 1000 North. The new design that was presented to the Planning Commission included changes to the elevation as well as the exterior color of the proposed townhomes. The Planning Commission advised that they do appear to look more modern than they would like to see in the old rural Farmington area. Mr. Nicoll will return with new drawings and designs to present to the Planning Commission for additional feedback.

- b. **Connie Deianni** advised the Planning Commission to attend the WFRC Planning workshop at the Davis County offices it will involve Planning Commission, local government and Economic Development representative.

ADJOURNMENT

Rulon Homer made a motion to adjourn the meeting at 8:58 PM. **Shawn Beus** seconded the motion, which was unanimously approved.



Connie Deianni, Planning Commission Chair